

**LEGISLATIVE SERVICES AGENCY  
OFFICE OF FISCAL AND MANAGEMENT ANALYSIS**

200 W. Washington, Suite 301  
Indianapolis, IN 46204  
(317) 233-0696  
<http://www.in.gov/legislative>

**FISCAL IMPACT STATEMENT**

**LS 7428**

**BILL NUMBER: SB 556**

**NOTE PREPARED: Feb 16, 2015**

**BILL AMENDED: Feb 16, 2015**

**SUBJECT:** Fire Prevention and Building Safety.

**FIRST AUTHOR:** Sen. Yoder

**FIRST SPONSOR:**

**BILL STATUS:** 2<sup>nd</sup> Reading - 1<sup>st</sup> House

**FUNDS AFFECTED:**  **GENERAL**  
 **DEDICATED**  
 **FEDERAL**

**IMPACT:** State & Local

**Summary of Legislation:** (Amended) The bill changes the definition of "building law" to include a law governing sanitary conditions and sanitary facilities in elementary and secondary school buildings and on the school grounds. It allows the Fire Prevention and Building Safety Commission to adopt temporary rules in a manner provided for the adoption of emergency rules to administer the regulation of sanitary conditions and sanitary facilities in elementary and secondary school buildings and on the school grounds.

The bill allows the Division of Fire and Building Safety to designate a qualified third-party inspector or inspection agency to act as the Division's agent for inspections of regulated boilers and pressure vessels.

The bill also repeals statutes that do the following:

- (1) Allow the State Department of Health to regulate construction and remodeling of school buildings and establishes requirements for school buildings and grounds.
- (2) Make it a Class B misdemeanor to transfer materials that do not comply with the requirements established in subdivision (1).
- (3) Make it a Class B misdemeanor to recklessly violate the requirements established in subdivision (1).

**Effective Date:** July 1, 2015.

**Explanation of State Expenditures:** *Indiana Department of Homeland Security (DHS):* DHS will be responsible for the regulation of school buildings and grounds. Additionally, the bill allows DHS to contract with qualified inspectors of regulated boilers and pressure vessels. The bill's requirements are within the agency's routine administrative functions and should be able to be implemented with no additional appropriations, assuming near customary agency staffing and resource levels.

*Indiana State Department of Health (ISDH):* ISDH will no longer regulate school buildings and grounds. This should have a negligible positive fiscal impact on ISDH, as ISDH has been working closely with DHS on the regulation of these facilities in recent years.

**Explanation of State Revenues:** *Repeal of Class B Misdemeanor for School Building Violations:* Revenue to the Common School Fund may be reduced. However, any changes are likely to be small. Currently, the maximum judgment for a Class B misdemeanor is \$1,000. Revenue from court fees may also be reduced. However, the amount is likely to be small.

**Explanation of Local Expenditures:**

**Explanation of Local Revenues:** *Repeal of Class B Misdemeanor for School Building Violations:* Fewer court actions may occur, which may reduce local court revenue. However, the amount is likely to be small.

**State Agencies Affected:** Indiana Department of Homeland Security; Indiana State Department of Health.

**Local Agencies Affected:** Trial courts, local law enforcement agencies.

**Information Sources:** Jonathan Whitham, DHS, [jwhitham@dhs.in.gov](mailto:jwhitham@dhs.in.gov); Scott Zarazee, ISDH, [szarazee@isdh.in.gov](mailto:szarazee@isdh.in.gov).

**Fiscal Analyst:** Stephanie Wells, 232-9866.